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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,478	01/15/2004	Young Wook Lee	LT-0049	4169
34610 7590 08/20/2007 KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200			EXAMINER SHIBRU, HELEN	
			ART UNIT 2621	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/757,478

Applicant(s)

LEE, YOUNG WOOK

Examiner

HELEN SHIBRU

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/15/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 14 recites the limitation "OSD IMAGE" in LINE 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 7-10, and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawasaki et al (US PG PUB 2003/0108328 A1).

Regarding claim 1, Kawasaki discloses a method for displaying information of data, to be deleted, in a digital video recorder, comprising:
reading management information of data to be deleted in accordance with a data overwriting operation during a recording operation performed by the digital video recorder (see fig. 1A-C, fig. 2, paragraphs 0006, 0008, 0047 and 0066); and
displaying the read management information (see figs. 3, 9, and paragraphs 0053-0055 and 0122).

Regarding claim 2, Kawasaki discloses the read management information is displayed in the form of an on-screen display (OSD) image (see fig. 9, paragraph 0047 and claim 10).

Regarding claim 3, Kawasaki discloses the OSD image includes a recording date and time for a file of the data to be deleted in accordance with the data overwriting operation, and a mark identifying a position of the data to be deleted (see figs. 3-5 and 9, and paragraph 0118 and 0047).

Regarding claim 4, Kawasaki discloses the OSD image includes a mark identifying a position of video image data being currently recorded in the recording operation (see paragraph 0047).

Regarding claim 7, Kawasaki discloses the management information includes recording date information or recording time information of a file of the data to be deleted (see fig. 9 and paragraph 0118).

Regarding claims 8 and 10, Kawasaki discloses the management information is information of the data file recorded on the main storage medium at a position spaced apart by a predetermined distance from a current recording position of the main storage medium (see fig. 9, paragraphs 0008 and 0053-0055 where it shows that the user selects a file to be deleted and record another file on the deleted file position and the information is recorded in separate position. See also paragraph 0047 where it discloses the management information position in the media).

Regarding claim 9, Kawasaki discloses the predetermined distance corresponds to a distance between the current recording position and the management information read position is determined by at least one of a control signal, a predetermined distance and a selection made by a user (see paragraphs 0051-0057).

Regarding claim 15, the limitation of claim 15 can be found in claim 1 above. Therefore claim 15 is analyzed and rejected for the same reasons as discussed in claim 1 above.

Regarding claim 16, the limitation of claim 16 can be found in claims 3 and 8. Therefore claim 16 is analyzed and rejected for the same reasons as discussed in claims 3 and 8.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki in view of the present application related art.

Regarding claim 5, although Kawasaki discloses the limitation of claim 1, Kawasaki fails to disclose the recording operation comprises:

processing a video image picked up by at least one monitoring camera;

detecting a variation in the video image to determine whether a particular event has occurred;

and recording data of the video image on a main storage medium of the digital video recorder when the variation is detected.

In the same field of endeavor the present application related art discloses the recording operation comprises: processing a video image picked up by at least one monitoring camera (see fig. 1 monitoring cameras and paragraph 3 of the related art description); detecting a variation in the video image to determine whether a particular event has occurred (see paragraph 4 where it discloses detecting of video signal when an event, for e.g. third party invasion, occurred) and recording data of the video image on a main storage medium of the digital video recorder when the variation is detected (see paragraphs 4 and 5 and fig. 2). Therefore in light of the teaching in the related art it would have been obvious to one of ordinary skill at the time the invention was made to modify Kawasaki by detecting an event and recording the event on the main storage medium in order to save the data permanently.

Regarding claim 6, Kawasaki discloses the data overwriting operation is executed in a sequential manner, starting from a position at which the oldest one of the data recorded on the main storage medium is recorded, and wherein the data overwriting operation is executed when

there is substantially no spare space on the main storage medium for additional recording data (see paragraphs 0118 and 0066).

8. Claims 11-14, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki in view of Cochran (US PG PUB 2004/0024838 A1).

Regarding claims 11 and 12, although Kawasaki discloses all the limitations in claim 1, Kawasaki fails to disclose backing up the data to be deleted on a backup recording medium wherein the backup recording medium is external to the digital video recorder. In the same field of endeavor Cochran discloses a file is backed up to backup copies of the primary data on physically discrete mass storage devices or media (see paragraph 0010). Therefore in light of the teaching in Cochran it would have been obvious to one of ordinary skill in the art at the time the invention was made to back up a file in order to save the data permanently if the primary data is overwritten or deleted.

Regarding claim 13, Cochran discloses the data backup is executed for a subset of the data files to be deleted (see paragraph 0010 in the summary of the invention).

Regarding claim 14, Cochran discloses a backup option button for selecting a backup operation for the data file to be deleted (see paragraphs 0009 and 0039).

Claim 17 is rejected for the same reason as discussed in claim 11 above.

Regarding claim 18, the limitation of claim 18 can be found in claims 2-4 and 11. Therefore claim 18 is analyzed and rejected for the same reason as discussed in claims 2-4 and 11 above.

9. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki in view of Cochran and further in view of the present application related art.

Regarding claim 19, the limitation of claim 19 can be found in claims 1, 2, 5 and 11 above. Therefore claim 19 is analyzed and rejected for the same reasons as discussed in claims 1, 2, 5 and 11. It is noted that a method of operating a digital video recorder, comprising: recording current data from at least one of a plurality of sensors (see related art in the present application and rejection of claim 5); storing the current recorded data to a first location of a storage device of the digital video recorder (see related art and rejection of claim 5 above); reading management data of a file to be deleted from the storage device responsive to a data overwrite operation (see claim 1 above); displaying the read data management information to a user (see claim 1 above); and selectively storing the file to be deleted to an additional storage device in accordance with an operation by the user responsive to the displayed read management data (see claims 2 and 11 above). Therefore in light of the teaching in the related art and Cochran it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kawasaki in order to save the data permanently if the primary data is overwritten or deleted.

Claim 20 is rejected for the same reasons as discussed in claims 8 and 11 above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Monore et al. (US Pat. No. 7,131,136) discloses backing up data.

Millinusie et al. (US Pat. No. 7,242,295) discloses a sensor device.

Cotton et al (US Pat. No. 4,630,110) also teaches backing up data to different storage medium.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571)272-7329.

The examiner can normally be reached on 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibru
August 14, 2007

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